

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	CASE NO. 05CR300006
	)	
ELLIOTT BEALS	)	

CONSENT MOTION TO CONTINUE SENTENCING

Now Comes Defendant to move the Court for a brief continuance of the sentencing date in this matter until late January 2007 as follows:

1. This matter is currently scheduled for sentencing on December 12, 2007. There have been no prior continuances of any proceedings in this case.

2. Undersigned defense counsel will be on trial from November 13-22, 2006 in Hampshire County Superior Court and, as a result, unable to carve out adequate time to meet with Probation and provide to it the financial information necessary for the Pre-Sentence Report.

3. The original prosecutor, William Welch, has now left the District on temporary assignment and this matter has been assigned by his office to AUSA Paul Smith who has agreed to this extension of time.

4. Undersigned counsel has discussed the possibility of this extension with U.S. Probation Officer Richard Rinaldi, who is writing the PSR, and he has authorized counsel to represent to the Court that, due to a backlog in his own work, this brief continuance would be helpful for him to prepare his PSR.

WHEREFORE, undersigned counsel respectfully requests that this matter be continued until any day in the weeks of January 22 or 29, 2007.

Respectfully submitted,

Elliott Beals, Jr.  
By his attorney,

DATED: November 10, 2006

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**CERTIFICATE OF SERVICE**

I, John P. Pucci, Esq. do hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on November 10, 2006.

John P. Pucci